

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Y.S., individually and on behalf of S.F., a child with  
a disability,

Plaintiff,

-against-

23 **CIVIL** 7317 (JPC)

**JUDGMENT**

NEW YORK CITY DEPARTMENT OF  
EDUCATION,

Defendant.  
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated September 30, 2024, the Court has granted summary judgment in favor of Y.S. with regard to the SROs exclusion of allegations concerning her request for independent educational evaluations and has denied summary judgment to both parties on the issue of whether the October 2020 IEP, in failing to provide physical therapy services, denied S.F. a free and appropriate public education. In all other respects, the Court has granted the DOEs motion for summary judgment and has denied Y.S.'s motion for summary judgment. The Court has remanded this matter to the SRO to consider Y.S.'s claim regarding whether the DOE timely acted on Y.S.'s request for independent educational evaluations and, only to the extent required by any determination on that issue, to consider the adequacy of the October 2020 IEP with respect to its failure to include a mandate for physical therapy services.

**Dated:** New York, New York

September 30, 2024

**DANIEL ORTIZ**

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**Acting Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**